



BRAINWARE UNIVERSITY

Term End Examination 2023-2024

Programme – B.A. LL.B.-2022

Course Name – Constitutional Law of India II

Course Code - BALLB305

(Semester III)

Full Marks : 60

Time : 2:30 Hours

[The figure in the margin indicates full marks. Candidates are required to give their answers in their own words as far as practicable.]

Group-A

(Multiple Choice Type Question)

1 x 15=15

1. *Choose the correct alternative from the following :*
- (i) Identify the person to whom the President of India addresses his resignation letter.
 - a) Chief justice of India
 - b) Speaker
 - c) Vice president
 - d) Prime Minister
 - (ii) Identify who can initiate impeachment proceedings against the President of India.
 - a) Either House of Parliament
 - b) Any Vidhan Sabha
 - c) only Lok sabha
 - d) Rajya Sabha
 - (iii) Identify the ex- officio Chairman of the Council of States.
 - a) Vice President
 - b) Leader of opposition
 - c) President
 - d) Speaker
 - (iv) Predict that the Union Council of Ministers is appointed by whom.
 - a) President according to his discretion
 - b) Prime Minister
 - c) Parliament
 - d) President on advice of Prime Minister
 - (v) Choose the condition under which the President can make laws through ordinances.
 - a) only on subjects contained in the concurrent list
 - b) under no circumstances
 - c) on certain subjects even when Parliament is in session
 - d) during the recess of the Parliament
 - (vi) Identify on whose written advice can the President proclaim emergency.
 - a) Speaker of the Lok Sabha
 - b) Prime Minister
 - c) Chief Justice of India
 - d) Union Cabinet
 - (vii) Select the circumstances when a financial emergency is proclaimed
 - a) union budget will not be presented
 - b) salaries and allowances of any class of employees may be reduced
 - c) repayment of government debts will stop
 - d) payment of salaries to public servants will be postponed
 - (viii) Identify from the following appointments that appointment which is not made by the President of India.
 - a) Speaker of the Lok Sabha
 - b) Chief of the Army

- c) Chief Justice of India
 (ix) Predict when can the President proclaim a state of emergency.
 a) threat to financial stability of the country
 b) external aggression or internal disturbances threatening the security of the country
 c) failure of constitutional machinery in a particular state
 d) all of these
- (x) Select the correct option- The President's Rule in a state means that the state is ruled by
 a) a caretaker government
 b) Chief minister nominated by President
 c) Governor of the State
 d) President directly
- (xi) Select the types of Emergency that have been visualised in the Constitution of India.
 a) two
 b) three
 c) four
 d) five
- (xii) Choose the correct one from the following-Rights of a citizen under Article 19 are automatically suspended during the period of emergency, if emergency under Article 352 is declared on the grounds of
 a) war, external aggression or armed rebellion
 b) war or armed rebellion
 c) external aggression or armed rebellion
 d) war or external aggression
- (xiii) Predict when can a President use his discretion in appointing the Prime Minister.
 a) only when Lok Sabha has been dissolved
 b) during emergency
 c) when no political party enjoys a clear majority in the Lok Sabha
 d) in no circumstances
- (xiv) Predict which of the following are criticisms of the amendment procedure of the Indian constitution.
 a) process is flexible as well as rigid
 b) process of amendment is similar to that of a legislative process except for the special majority
 c) Parliament has almost the entire power to initiate amendments
 d) there is no provision for holding joint sitting to solve deadlock in case of constitutional amendment bill
- (xv) Identify the Article of the Constitution that empowers the President to appoint a Commission to investigate the condition of backward classes in general and suggest ameliorative measures.
 a) Article 234
 b) Article 340
 c) Article 236
 d) Article 237

Group-B

(Short Answer Type Questions)

3 x 5=15

2. Describe briefly about the sessions of Parliament under the Indian Constitution. (3)
3. Examine the significance of the original jurisdiction of the Supreme Court of India with help of decided cases. (3)
4. Explain the role of Speaker and Deputy speaker of the Parliament. (3)
5. Explain the conditions under which President can declare emergency. (3)
6. Evaluate the procedure of amendment of the Constitution. (3)

OR

Predict under what circumstances amendment of the Constitution requires to be ratified by the State legislatures. (3)

Group-C

(Long Answer Type Questions)

5 x 6=30

7. Evaluate the power of the Speaker to certify a Money Bill. Infer whether such power is subject to judicial review or not. (5)
8. Analyze the role of the Finance Commission in maintaining fiscal federalism in India. (5)

9. Review the principle of collective responsibility in the governance system of India. (5)
10. Construct a comparison of the writ jurisdiction of the Supreme Court with that of the High Courts in States. (5)
11. Establish the difference between a Money Bill and Ordinary Bill with respect to its initiation and procedure of passing of such Bills. (5)
12. Evaluate the special provisions for amending certain fundamental rights under the Indian Constitution, and the safeguards in place to protect these rights during the amendment process (5)

OR

Evaluate the role of state legislatures in the process of amending the Indian Constitution, and how do they influence the overall amendment procedure (5)
